

REMARKS

This amendment presents article claims 41-46 that are similar to the method claims previously presented. The claims are similar in that they also reflect applicants' discovery that a united and combined decorative layer formed of an ink pattern and an absorbed non-solvent hardening resin may be provided with selected, adjacently positioned, low and high gloss portions. The low and high gloss portions are provided in accordance with the variation in absorption of the non-solvent hardening resin composite by the ink pattern portions containing greater or lesser amounts of ink as particularly discussed in paragraph [0033] of the substitute specification (paragraph [0050] of the original specification).

In the decorative layer, locations of absorption of relatively greater amounts of the hardening resin by the ink print pattern result in a less glossy appearance as compared with the appearance of decorative layer locations having absorbed a lesser amount of hardening resin. Accordingly, the positioning of low gloss and high gloss locations in the decorative layer is determined by the amount or concentration of ink in various ink pattern portions.

A matting component may be added to the hardening resin to reduce the level of glossiness as discussed in paragraph [0064] of the substitute specification (paragraph [0086] of the original specification). The matting component more effectively reduces the glossiness of the high glossy portion, and the overall difference between the two portions tends to

be reduced.

Also, the penetration and absorption of the ink pattern by the hardening resin to form a united or combined decorative layer enables the elimination of a protective topcoat since the decorative coating has sufficient chemical and mechanical surface protection as discussed in paragraph [0057] of the substitute specification (paragraph [0079] of the original specification). As particularly described in paragraph [0066] of the substitute specification (paragraph [0088] of the original specification), elimination of the topcoat enables the hardening resin to be more easily absorbed by the ink pattern and thereby better achieve the variations glossiness sought in the invention.

The matters raised in the Office action are considered below with respect to claims 41-46.

The rejection of the prior claims under 35 USC 112, second paragraph, is rendered moot by the cancellation of such claims in favor of newly presented claims 41-46. In the newly presented claims, it is clear that the low and high gloss portions of the decorative coating are provided by the variations in absorption of the hardening resin composite in accordance with the amount of ink contained in the ink pattern portions.

The differences in degree of gloss as set forth in the claims is based upon Japanese Industrial Standards Z8741 - 1997. This standard is generally discussed in paragraph [0028] of the substitute specification (paragraph [0032] of

the original specification), and it is particularly discussed in paragraph [0083] of the substitute specification (paragraph [0111] of the original specification) with respect to the illustrated embodiments. Accordingly, the differences in degree of gloss are those achieved in accordance with the techniques of the invention as measured by a recognized industrial standard.

Claims 41-46 do not contain "early" and "late" wood terminology, and rejections based on the same are moot.

For all of the foregoing reasons, is respectfully submitted that the prior rejections of the claims under 35 USC 112, second paragraph, are not applicable to the claims 41-46.

The art based rejections of the prior claims are discussed below with respect to the newly presented claims 41-46. Initially, it is noted that many of the features of method claims 27-40 are contained in the article claims 41-46 and applicants' previous remarks distinguishing over the prior art are applicable, but not repeated.

It is respectfully requested that the Examiner reconsider and withdraw the rejection of the claims under 35 USC 102(b) as being met by JP 05-016598 to Atake as evidenced by US patent 4,029,831 to Daunheimer et al.

Claims 41-46 more clearly define the article wherein low and high gloss portions of a decorative layer are achieved in accordance with the variation of the absorption of the hardening resin composite by the ink. That is, the ink print pattern is provided with ink portions containing relatively

greater and lesser amounts of ink in order to cause corresponding variation in the absorption of the hardening resin and, respectively, low and high gloss portions in the decorative layer. This is never disclosed or suggested by Atake.

For the foregoing reasons, the rejection of the claims under 35 USC 102(b) as unpatentable over Atake is overcome by the claims 41-46.

The prior rejection of the claims under 35 USC 103(a) is unpatentable over Atake as evidenced by Daunheimer in view of US patent 4,396,448 to Ohta et al. ("Ohta") is also overcome by the claims 41-46. This rejection is discussed below.

In Atake, the activation of the print pattern is not by the hardening resin composite, but rather, by the solvent added to the hardening resin composite. This is discussed in detail in the October 12, 2009 amendment with reference to the Atake examples. Atake thereby makes it clear that solvent is used to wet the print pattern and never suggests absorption of the hardening resin. Similarly, Atake does not teach or suggest that the hardening resin may be absorbed by the ink pattern portions in different amounts corresponding the amounts of ink present in the ink pattern portions.

Atake does not contemplate the use of a non-solvent component (photo-polymerization monomer) of the hardening resin composite to wet the print pattern and thereby assist in the absorption of the hardening resin composite. Atake practices prior art solvent wetting techniques, and does not

suggest the claimed decorative layer with varying absorption and gloss portions.

The Examiner's comments regarding Atake's use of printers inks that modify the hardening (curability) of the top coat are not applicable to the claims presently record. In this regard, it is noted that top coat variations are not a feature of the claimed article since the low and high gloss portions are provided directly within the united ink pattern and hardening resin composite.

The Ohta teachings in respect to embossing and matting are not pertinent to the claim 41-46 wherein low and high gloss portions are provided in the united ink pattern and hardening resin composite.

For completeness, it is further noted that Atake does not contemplate adjacent low and high gloss portions in an ink printed portion. Further, Atake does not contemplate that the low and high gloss portions are provided in accordance with absorption characteristics of the ink. The claimed article with adjacent portions of contained ink, amounts of absorbed hardening resin and resulting adjacent low and high gloss portions in the decorative layer are not suggested by Atake and the secondary references do not remedy the Atake deficiencies.

For all of the foregoing reasons, claims 27 - 46 presently of record are distinguished over the art.

If there are any fees required by this amendment, please charge the same to Deposit Account No. 16-0820, Order No. KIK-41079.

Respectfully submitted,

By: 
Joseph J. Corso, Reg. No. 25845

1801 East Ninth Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700
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